

REMARKS

Claims 80-89 are currently pending. Claims 80 and 85 are amended with entry of this amendment.

Claim 80 has been amended to clarify an obvious typographical error. Claim 85 has been amended to clarify the numbering convention and positions for the recited amide bond junction. Support for the amendment to claim 85 may be found, for example, in Figure 2. Applicants respectfully submit that the sequence of FIG. 2 is identical the sequence of SEQ ID NO:2. The numbering convention of FIG. 2 differs from the numbering convention of SEQ ID NO:2. FIG. 2 starts at amino acid number 26 and SEQ ID NO:2 starts at amino acid number 1. SEQ ID NO:2 starts at amino acid number 1 because Applicants are required, by rule, to begin amino acid sequence listings with the "number 1" (*see* 37 CFR §1.822(d)(4), stating "the enumeration of amino acids shall start at the first amino acid at the amino terminal as number 1"). Therefore, the designation of the first amino acid of SEQ ID NO:2 as "number 1" is no more than an arbitrary convention required by law. FIG. 2 starts at amino acid number 26 because this is the convention well known in the art. *See, e.g. Jelsch et al., Proteins Struct. Funct.* 16:364-383 (1993), which is disclosed in the specification at page 7, line 2. Therefore, no new matter has is added with entry of this amendment.

Applicants note that the Notice to Comply, mailed February 12, 2004, referred to claims 38 and 39. However, claims 1-79 were previously canceled in Applicants' Amendment mailed August 26, 2003. Applicants respectfully request to be notified if the Amendment mailed August 26, 2003 was not received and/or entered by the Patent Office.

Appl. No. 09/764,163
Amdt. dated 3/5/2004
Reply to Office Communication of February 12, 2004

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth E. Jenkins". The signature is fluid and cursive, with a large initial "K" and a stylized "J".

Kenneth E. Jenkins, Ph.D.
Reg. No. 51,846

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
KEJ:kej
60158016 v1